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#### ORA-02-04.01      Definition of Fly America Act

The [Fly America Act of 1974](#) applies to all travel funded by U.S. federal government funds (including sponsored project funds). The Act requires the use of a U.S. flag air carrier to the maximum extent possible when traveling between the U.S. and a foreign country, or between foreign countries.

Consistent with the Fly America Act codified at 49 U.S.C. 40118, The University of Akron requires travelers who will be reimbursed from federal grants or contracts to use U.S. flag carrier service. The code of a U.S. flag carrier appears on the airline ticket, boarding pass, or passenger receipt.

In cases where a U.S. flag carrier does not provide acceptable service for a particular leg of a trip, foreign carrier service may be used, but only to or from the nearest interchange point on a usually traveled route to connect with the U.S. flag carrier.

Contact the Office of Research Administration with travel questions related to Fly America. Please note that airline tickets purchased through discount services such as Travelocity or Experian may indicate a U.S. flag carrier at the time of purchase, but at the time of flight may be ticketed on a non-U.S. airline. In this circumstance, the cost of the airline ticket would not be an allowable federal grant expense. Always go to the primary source (the airline) to check flight codes before purchasing tickets on discount services.

Major U. S. flag carriers (and their airline codes, not all inclusive):

- Alaska Airlines (AS)
- Allegiant Air (AAY)
- American Airlines (AA)
- Asia Pacific Airlines (MGE)
- Delta (DL)
- Frontier Airlines (F9)
- Hawaiian Airlines (HA)
- Horizon Air (QX)
- JetBlue Airways (B6)
- Spirit Airlines (NK)
- Southwest Airlines (WN)
- United Airlines (UA)
- US Airways (US)
- Virgin America (VX)

#### ORA-02-04.02      Open Skies Exceptions

The greatest exception to the Fly America Act is the Open Skies Agreement, which allows qualifying travelers, whose travel is supported by federal funds, to travel on European Union airlines as well as U.S. flag carriers. A list of [current member countries](#) of the European Union is available. There are also Open Skies agreements with Australia, Japan and a number of other countries. Check the [Open Skies](#) website before booking travel to ensure that the country to which you are traveling is still a member of the pact.

Note that Department of Defense-supported travel is not included under the Open Skies Agreement.

#### ORA-02-04.03      Additional Exceptions

Use of a non-U.S. carrier is permissible under certain circumstances (not all-inclusive):

- When the use of a U.S. flag carrier would extend travel time (including delay at origin) by 24 hours or more;
- When U.S. flag carriers do not offer nonstop or direct service between origin and destination. However, a U.S. flag carrier must be used on every portion of the route where it provides service unless, when compared to using a foreign carrier, such use would:
  - Increase the number of aircraft changes outside the U.S. by two or more;
  - Extend travel time by at least six hours or more;
  - Require a connecting time of four hours or more at an overseas interchange point.

If you believe your travel is exempt from Fly America Act regulations, please contact your Grant Accountant. If the exemption is confirmed, a [Fly America Exception Form](#) must be completed and submitted with travel receipts at the time reimbursement is requested.

All travelers, including non-employees, purchasing air tickets with federal funds must be aware of and comply with the Fly America Act. Note that U.S. flag carriers must be used even if foreign carriers offer tickets at a lower price, offer preferred routing, are more convenient, or are part of a frequent-flyer arrangement.

#### **ORA-02-04.04      Codeshare Agreements**

A codeshare agreement ("codeshare") is a business arrangement where two or more airlines share the same flight. In a codeshare, each airline publishes and markets the flight under its airline designator and flight number as part of its published timetable or schedule. For example, United Airlines may sell a ticket that includes some legs of a trip to Germany on a Lufthansa plane. To be compliant with Fly America, the ticket (or similar documentation, such as an itinerary) must show the U. S. flag carrier's code next to the flight number for each leg of the trip. If the flight number had an airline code of **UA** for United Airlines, the travel would be compliant, even if one or more legs of the trip were "Operated by Lufthansa." If the ticket had an airline code of **LH** for Lufthansa, the travel would not be compliant, and could not be charged to a federally-funded project.

In some cases, institutional or sponsor policy may be more restrictive than the Fly America Act. In these cases, the more restrictive policy applies.

#### **ORA-02-04.05      Documenting Allowable Exceptions**

When flying on federally-sponsored travel and a U. S. flag air carrier is not available, or the circumstances meet one of the allowable exceptions, the Fly America Exception Form must be completed and submitted to the ORA Grant Accountant. A copy of the Fly America Exception Form (if applicable) should be attached with other receipts at the time of travel reimbursement.

#### **ORA-02-04.06      Principal Investigator's Responsibility**

The Principal Investigator is responsible for ensuring that all flights comply with all travel regulations described in this policy.